

PORT AND SOLID WASTE DEPARTMENT



2561 SOUTH BROADWAY
GREEN BAY, WI 54304

PHONE: (920) 492-4950

FAX: (920) 492-4957

DEAN HAEN

INTERIM PORT AND SOLID WASTE DIRECTOR

PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on **Monday, March 12, 2012**
at the Clarion Hotel, 200 Main St., Green Bay, WI

1) The meeting was officially called to order by President McKloskey at 11:35 am.

2) Roll Call:

Present: President Neil McKloskey
Commissioner Bill Martens
Commissioner Hank Wallace
Commissioner Tom Klimek
Commissioner Greg Flisram

Excused: Commissioner Ron Antonneau
Commissioner Craig Dickman
Commissioner John Hanitz
Commissioner Bernie Erickson

Also Present: Dean Haen, Brown County Port & Solid Waste
Mark Walter, Brown County Port & Solid Waste
Troy Streckenbach, Brown County Executive
John Mory, Cellcom Green Bay Marathon
Mike Fisher, Cellcom Green Bay Marathon

3) Introduction of New Member Greg Flisram

Introduction and welcome of new member Greg Flisram. Mr. Flisram gave a short introduction of himself and his past experience and qualifications. Each Harbor Commissioner introduced themselves and gave a brief description of their background for Mr. Flisram.

4) Approval/Modification – Meeting Agenda

A motion was made to approve the meeting agenda by Hank Wallace and seconded by Tom Klimek. Unanimously approved

5) Approval/Modification – February 13, 2012 Meeting Minutes

A motion was made to approve the February 13, 2012 meeting minutes by Hank Wallace and seconded by Bill Martens. Unanimously approved.

6) Announcement from County Executive Troy Streckenbach

Executive Streckenbach announced the creation of a rail/port intermodal committee to advance the development of an intermodal rail/port facility in Brown County. The committee will consist of the following individuals listed below. Fred Monique will lead, coordinate and oversee the development of the project. There is a mix of people on this committee from related trades including from industry, trucking and rail. There is also interest beyond the stakeholders here in Brown County as the port serves northeastern Wisconsin.

Haen, Dean	BC Port & Solid Waste, Interim Director
Matheson, Bill	Schneider National, Intermodal President
Klimek, Tom	Escanaba & Lake Superior Railroad
Nelson, Dave	Great Lakes Calcium
Snider, Paul	Georgia-Pacific
Monique, Fred	Advance, Business Assistance Center

Executive Streckenbach is looking forward to Harbor Commission involvement and leadership. The goal of the committee is to develop a business plan where the County along with the public/private relationship can work on reestablishing a rail/port intermodal facility. Executive Streckenbach recognizes how important the Port is to this community: past, present and future.

Executive Streckenbach has reviewed the attached intermodal study completed by UWGB with regards to the need for development of a rail ramp near the port first. Once that is established, the movement of containers and similar activities through the port can be advanced. Brown County is blessed with a lot of natural assets but for whatever reason, we are not fully utilizing the Port, both on the local, regional and the global level.

Executive Streckenbach noted that there will be a total of four new economic development committees, three of which affect the Port & Solid Waste Department; the Rail/Intermodal/Port Facility Committee, the Waste Stream Committee (which affects the Solid Waste Department), and the committee which is looking at developing the lands around the airport, including the foreign trade zone which is administered by the Port.

- 7) Green Bay Marathon Security Deposit for Demurrage Charges – Request for Approval
John Mory, Race Operations Manager from the Cellcom Green Bay Marathon was present to speak on behalf of the Marathon to request the Harbor Commission allow a bridge closure on the day of the marathon. The Marathon will present a security deposit in the amount of \$7500 in case of demurrage charges by any terminal operators.

A motion to suspend the rules to allow John Mory and Sean Ryan of Cellcom Green Bay Marathon to speak was made by Neil McKloskey and seconded by Hank Wallace. Unanimously approved.

John Mory gave a general overview of the race route to make the Harbor Commission aware of the Marathon's commitment to safety of the participants. They are requesting special

considerations on the day of the race of May 20, 2012 to suspend Walnut Street bridge operations from 8:30am until 1:30pm in order to accommodate the race route.

Dean Haen mentioned that in past years, bridge closure requests have been made by the Marathon event and security deposits provided in the event of any demurrages. However, the Harbor Commission has never had a need to collect upon the security deposit in order to pay out for any shipping vessels delayed.

A motion was made to return to regular session by Hank Wallace and seconded by Neil McKloskey. Unanimously approved.

A motion was made to approve acceptance of a security deposit from Cellcom Green Bay Marathon for possible demurrage by Hank Wallace and seconded by Greg Flisram. Unanimously approved.

8) Cell Tower Lease -- Update

Mr. John Luetscher from the Corporation Counsel was requested to be present for this meeting, however, since then, he has hired an assistant, Ms. Kristen Hooker, who is handling this matter. A copy of her e-mail communication was included in this meeting's agenda packet which states her intention to move forward with the collection of the lease payments from the city of Green Bay. A copy of the letter requesting collection from Ms. Kristen Hooker to Green Bay City Attorney Tony Wachewicz was handed out at the meeting.

9) Renard Island Closure Work – Update

The construction work on this GLRI grant project has been completed and only administrative work needs to be finalized. A land survey was completed on February 16 on the island. A map distributed in the agenda packet shows how much material was moved onto the island by the contractor over this past year. The final amount moved was 259,000 cubic yards or approximately 25,000 cubic yards more than what was anticipated.

The colored map included in the packet indicates the different grades currently existing on the island. The western part of the island is about one foot short of the anticipated grade below the final engineered soil cap. Another two and a half feet of cover will be placed on top of that for final closure. Capacity on the island for general fill is still available for 50,000 – 100,000 more cubic feet. The map also indicates the level of settlement of the general fill material placed onto the island, which comes to one to two feet in most areas over the past year.

There will be a cost increase to reach the final grades that are needed but it is also an opportunity to place more clean dredge material onto this island facility. Placing material in warm weather is much more challenging due to the fact that with such high water content in the material, it causes the gravel road along the outer edge of the island to become too wet to drive on each year.

The projected time frame to final closure depends on federal assistance and grants but there is a closure deadline from the WDNR of June 2013. The Cat Island project provides the County some leverage with the Corps for the completion of Renard Island. Brown

County and the Harbor Commission entered into an agreement with the Corps for Renard Island in 1977 which obligated the Corps to close the island.

10) Cat Island Chain Restoration Project – Update

A letter sent to LT Colonel Michael Derosier of the Corps states that if the Corps will commit to completion of the Renard Island project, Brown County would then entertain the possibility of entering into an agreement with the Corps to work in partnership on the Cat Island Chain project. The Corps has the required funding, an appropriate project schedule, reduced project costs and a commitment to continue to utilize the Bay Port facility. The only outstanding issue is the Renard Island closure within the time frame required.

A second letter was sent to the WDOT, explaining that the Corps now requires the \$2.7M cost share from Brown County to be in the form of cash rather than the work-in-kind in the form of providing stone. The letter confirms the verbal understanding between Brown County and the WDOT in using Brown County cash contribution from the HAP grant to meet the Corps \$2.7M cash contribution and that this cash contribution will be an eligible expense under the HAP grant. The WDOT will require Brown County to obtain a receipt from the Corps for this transaction to be eligible. Brown County is also working with the DNR to permit a storage area at the end of Lineville Rd.

The Cat Island Advisory Team was created per the WDNR Water Quality Certification Permit. This team will oversee management of the Cat Island habitat over the duration of the next few decades. This advisory team will be made up of representation from Brown County, DNR, USFWS, USACE, and selected stakeholder individuals.

Physical construction of the project will start in late May or early June 2012 using GLRI grant funding. Brown County has retained Foth to prepare bid documents for selecting a contractor. The bid requests need to be out by the end of April 2012. The first part of this project needs to be completed by August 1, 2012 for EPA satisfaction of the GLRI grant and for an accelerated timeline for the Corps. The Corps will be visiting Brown County within the next few weeks. They are looking at putting \$19M into this project over the next three fiscal years.

Brown County had approached the WDOT to find out if they would be interested in creating a Wetlands Mitigation bank due to road construction in that area, but the WDOT has declined that offer. Robert E. Lee & Assoc is aware that with rule changes at the state level there will be requirements for establishment of a regional wetland banks. Dean Haen has also made the same offer to Robert E. Lee & Assoc. for partnership in designing the wetlands bank, which includes credit for these wetlands. This includes 272 upland acres, 1,400 wetland acres behind that, and the state owned lakebed grant that Brown County is responsible for improving.

11) 2012 AGLP Federal Policy Agenda - Update

These are issues that the American Great Lakes Ports Association is pushing for at the Federal level via lobbyists and policymakers out in Washington D.C.

The Great Lakes Harbor Dredging plans for FY2013 provided a list of underfunded ports that will receive funding for dredging by the USACE in 2013. Green Bay is not on this list it is already in receipt of this dredging work.

Issues include: The Harbor Maintenance Trust Fund which explains how funds are raised for future dredging needs of the nation's Harbors by the USACE; Marine Infrastructure Renewal which details the projects on the Great Lakes that are in need of repair, maintenance, or replacement in order to continue marine operations in those locations listed on the report; and, the Short Sea Shipping which explains the changes in legislation that affect intermodal port facilities.

12) Director's Report

USACE dredging project is utilizing Fox River Dock as an unloading point. The right of entry is expiring this year. A new agreement will need to be executed for use of Fox River Dock's property. The renewal document is the same as the original document executed in 2007; a routine five-year document. In addition, a right-of-entry agreement will be renewed for the Renard Island causeway and access to Bay Port. These are routine administrative functions previously approved by the Harbor Commission and County Board.

The annual Port Symposium is coming up on April 2, 2012. Speakers at the symposium will include Brown County Executive Troy Streckenbach, Neil McKloskey, Congressman Reid Ribble, Paul Hampton who will discuss the Northeastern Wisconsin Global Trade study being conducted by East Central Planning Commission, and Fred Monique of Advance, who will present information about intermodal port/rail advancement efforts.

The "First Ship" contest, in collaboration with GBVCB, is up and running and entries are coming in via the website.

13) Audit of Bills – Request for Approval

A motion to approve was made by Tom Klimek and seconded by Neil McKloskey. Unanimously approved.

14) Other Such Matters as Authorized by Law

None at this time.

15) Adjourn

A motion was made to adjourn meeting by Hank Wallace and seconded by Bill Martens. Unanimously approved. Meeting adjourned at 12:40 pm.

Neil McKloskey, President
Harbor Commission

Dean Haen, Interim Director
Port & Solid Waste Department